

Mission Statement

To protect and preserve ancestral remains, sacred
lands and sacred objects under the Native
American and Graves Protection Act
NAGPRA for today and future generations.



Member Tribes

Barona Campo Ewiiapaayp Inaja Jamul
La Posta Manzanita Mesa Grande
San Pasqual Santa Ysabel Sycuan Viejas
Steve Banegas, Spokesman

Kumeyaay Cultural Repatriation Committee

NATIVE AMERICAN HERITAGE COMMISSION
PUBLIC HEARING
May 12, 2010

DECLARATION OF STEVE BANEGAS IN SUPPORT OF A REQUEST BY THE VIEJAS BAND OF KUMEYAAY INDIANS THAT THE NAHC MAKE FINDINGS THAT THE SECONDARY CONNECTION PROJECT SITE CONTAINS A SANCTIFIED INDIAN BURIAL AND CEREMONIAL SITE

May 10, 2010

I, STEVE BANEGAS, DECLARE AND STATE AS FOLLOW:

I am the Spokesman of the Kumeyaay Cultural Repatriation Committee, which is also known as KCRC. KCRC is a consortium of the Barona, Campo, Ewiiapaayp, Inaja, Jamul, La Posta, Manzanita, Mesa Grande, San Pasqual, Santa Ysabel, Sycuan and Viejas Bands of the Kumeyaay Nation. I have been involved with KCRC and repatriation since 1997. I am a Tribal member of the Barona Band of Mission Indians.

The Kumeyaay Cultural Repatriation Committee was formed in 1997 for the purpose of repatriating human remains, artifacts and objects of cultural patrimony to the twelve Kumeyaay Tribes of San Diego. KCRC continues the work on repatriation started by Ewiiapaayp Tribal Chairman Tony Pinto and other tribal leaders after the passage of the Native American Graves Protection and Repatriation Act (NAGPRA).

KCRC meets once a month on the first Thursday of the month at 10:00 am to discuss repatriation activities and organize site visits for the purpose viewing collections and sites. Tribes volunteer to host the meetings. Everything is done on volunteer basis.

On September 5, 2009, representatives of Padre Dam attended a KCRC meeting on the Viejas Reservation, Viejas being the meeting host for that month. The presentation Padre Dam gave was to inform KCRC about the project they wanted to do near Lake Jennings. Padre Dam showed us a power point presentation which included a project-site drawing, and discussed some of the cultural resources found at the site.

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Padre Dam told us the land there was private land, not public land. A lot of the tribal representatives at that meeting didn't think they could do anything with regard to the project because it was on private land. Even so, several of the delegates told Padre Dam not to destroy the site. The representatives felt that every time agencies wanted to do a project and needed land they would get private land, which keeps Kumeyaay people from doing anything to protect the cultural resources. It wasn't until much later that we found out that the project site is actually public land because it's now owned by Padre Dam, a public agency.

KCRC representatives received a copy of the cultural resource report at this meeting. One of the KCRC delegates asked Padre Dam if remains had been found on the property prior to the purchase of the land. The answer was yes. Padre Dam told us about the history of the property and what was found there. They told us that there were only 14 pieces of human remain fragments found in the testing pits they recently tested. Native American monitors present at the meeting voiced there is a good chance more human remain fragments would be discovered and the land should be considered an Indian burial ground. Padre Dam seems to have ignored the Native American monitors present at the site. KCRC knew there were more than one archeological firm associated with the project and there had been problems, but KCRC thought at the time we couldn't do anything because we were mislead to believe the property was private land. Pad Dam also never told KCRC at this meeting that there were both potential on-site and off-site alternatives for the project. KCRC feels the Padre Dam Water Authority misrepresented the information about the cultural resources, public lands, and potential off-site alternatives for this project.

The only reason KCRC made recommendations with regard to the Padre Dam Water Authority project was we believed there were only 14 fragments found at the site. KCRC did not give Pare Dam Water Authority permission to destroy the site. In a letter dated October 13, 2009 KCRC made requests with the intentions to preserve as much of this site as possible.

When Viejas came to KCRC with their concerns in 2010, the KCRC delegates made decision at the February 4, 2010 monthly meeting, to turn the MLD designation over to Viejas. On February 8, 2010, KCRC simultaneously conveyed the MLD transfer information in a letter to Viejas Band of Kumeyaay Indians and Native American Heritage Commission.

KCRC stands behind the Viejas Band of Kumeyaay Indians as the MLD and does not support the destruction of our ancestral burial grounds and ceremonial places.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS DECLARATION WAS SIGNED ON MAY 10, 2010 AT ALPINE, CALIFORNIA.


Steve Banegas, KGRG Spokesman